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November 2, 2009

The Honorable Harry Reid
Majority Leader, United States Senate
S-221 U.S. Capitol
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker, House of Representatives
H-232 U.S. Capitol
Washington, D.C. 20515

Dear Majority Leader Reid and Madame Speaker:

As the former Surgeon General of the United, two terms, from 1981 to 1989, I am writing to express my deep personal concerns about the direction of the health care reform bills currently being considered by the United States Congress. More specifically, I am troubled about the possibility of federal dollars being used to pay for elective abortions and Americans being forced to subsidize them. In addition, I firmly believe that strong protections must be included in this legislation so that health care providers are not forced to participate in abortions against their will. Polls have recently showed an increasing number of participants opposed to abortion.

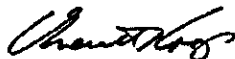
It is essential that a Hyde-like abortion funding restriction provision (like the amendment included in the annual appropriations bill for the Department Health and Human Services since 1976) be included in any health care bill that is signed into law. I believe that including this legislative language is necessary to ensure that elective abortions are not financed either directly through a public plan or indirectly through federal subsidies provided to purchase health insurance through state exchanges. I also find it troubling that the legislation requires all state exchanges to offer at least one health plan that includes abortion coverage – no other federal health plan has that specific requirement today.

As a physician, I also want to ensure that laws and regulations remain intact allowing health care providers to exercise their consciences and not be forced to provide services to which they have religious or moral objections. Congress has a long history of protecting the conscience of health care providers, first passing the Church Amendment in 1973.

Finally, I believe that it must be made clear through this legislation that state laws are protected and not pre-empted through this legislation, especially those that prohibit abortion coverage. Since 2004, additional conscience protections were included in the annual appropriations legislation for the Department Health and Human Services to include health care entities such as hospitals, provider-sponsored organizations, health maintenance organizations (HMOs), health insurance plans, or any other kind of health care facility, organization or plan. Today, virtually all states have conscience law protections for medical providers.

From my first days as Surgeon General until today, I have always been honest and straightforward with the American people. Therefore, before this legislation becomes law, I believe that the important issues outlined above must be addressed so that it is consistent with current laws regarding abortion coverage and conscience protection. I would appreciate your serious consideration of these matters before this legislation is debated and approved by the Senate and the House of Representatives.

Sincerely yours,



C. Everett Koop, MD, ScD
U. S. Surgeon General (1981-1989)